

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

**U.S.A. vs. Kente Miller**

**Docket No. 5:22-CR-107-1D**

**Petition for Action on Supervised Release**

COMES NOW Michael Torres, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kente Miller, who, upon an earlier plea of guilty to Failure to Register as a Sex Offender, in violation of 18 U.S.C. § 2250(a), was sentenced by the Honorable Douglas Harpool, U.S. District Judge, on July 19, 2021, to the custody of the Bureau of Prisons for a term of 18 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 120 months. Kente Miller was released from custody on February 25, 2022, at which time the term of supervised release commenced.

On May 11, 2022, Transfer of Jurisdiction from the Western District of Missouri to the Eastern District of North Carolina was completed.

On September 15, 2022, A Violation Report was filed as the defendant failed to attend a required polygraph examination. The defendant was verbally reprimanded and instructed to attend his next scheduled polygraph without fail. The Court agreed to continue the defendant on supervision. He completed his polygraph examination on October 12, 2022.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:** To allow the defendant to use a smartphone device and address the defendant's risk of viewing pornographic material, this officer is requesting the Court add additional special conditions of supervised release. To his credit, the defendant has been clean and sober since beginning supervision, he has been gainfully employed, and he has attended his counseling sessions as instructed. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. To ensure compliance with supervision, the defendant shall submit to unannounced searches of any computer or computer equipment (including mobile phones, tablets, and data storage devices) which may include the use of computer monitoring technology, computer search or analysis software, and copying of all data from the device and external peripherals. Such examination may require the removal of devices from the defendant's possession for the purpose of conducting a thorough inspection.
2. At the direction of the U.S. Probation Officer, the defendant shall consent to the installation of systems or software that will allow the probation officer or designee to monitor computer use on any computer that the defendant owns or is authorized to use. The defendant shall pay the costs of this monitoring.
3. The defendant shall not use, possess, or control any computer-based counter forensic tools. The defendant shall not use or have installed any programs specifically and solely designed to encrypt data, files, folders, or volumes of any media. The defendant shall, upon request, immediately provide the U.S. Probation Officer with any and all passwords required to access data compressed or encrypted for storage by any software.

4. The defendant shall not possess any legal or illegal pornographic material, including any materials depicting and/or describing "child pornography" and/or "simulated" child pornography as defined in 18 U.S.C. § 2256, nor shall the defendant enter any location where such materials can be accessed, obtained, or viewed, including pictures, photographs, books, writings, drawings, videos, or video games.
5. The defendant shall not use, purchase, possess, or otherwise obtain any computer or electronic device that can be linked to any computer networks, bulleting boards, internet service providers, or exchange formats involving computer unless approved by the U.S. Probation Officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing  
is true and correct.

/s/ David W. Leake  
David W. Leake  
Supervising U.S. Probation Officer

/s/ Michael Torres  
Michael Torres  
U.S. Probation Officer  
150 Rowan Street Suite 110  
Fayetteville, NC 28301  
Phone: 910-354-2534  
Executed On: October 14, 2022

#### ORDER OF THE COURT

Considered and ordered this 17 day of October, 2022, and ordered filed and made a part of the records in the above case.

James C. Dever III  
James C. Dever III  
U.S. District Judge